

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
AT KANSAS CITY**

GLENICE BROWN,

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LATONDRA MOORE,

)

)

and

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)

TAMARA SOLOMON,

)

)

Plaintiffs,

)

)

v.

)

Case No. 4:20-CV-00920-DGK

)

KANSAS CITY POLICE DEPARTMENT

)

D/B/A KANSAS CITY BOARD OF

)

POLICE COMMISSIONERS

)

)

and

)

)

KANSAS CITY, MISSOURI FRATERNAL

)

ORDER OF POLICE LODGE # 99,

)

)

Defendants.

)

**DEFENDANT KANSAS CITY, MISSOURI FRATERNAL ORDER OF POLICE
LODGE # 99'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT AND
SUGGESTIONS IN SUPPORT**

COMES NOW Defendant Kansas City, Missouri Fraternal Order of Police Lodge # 99, ("FOP Lodge # 99"), by and through counsel, and respectfully requests that this Court issue and Order granting FOP Lodge # 99 and additional twenty-one (21) days, up

to and including March 16, 2021, in which to file its responsive pleading or otherwise respond to Plaintiffs' Complaint. In support of this Motion, FOP Lodge # 99 states as follows:

I. Procedural History

1. On November 16, 2020, Plaintiffs filed their current lawsuit against FOP Lodge # 99. *See* Doc. 1.

2. On January 6, 2021, Plaintiffs filed their Amended Complaint. *See* Doc. 3.

3. On February 2, 2021, Plaintiffs served their Complaint on FOP Lodge # 99. *See* Doc. 4.

4. On February 2, 2021, Plaintiffs served their Amended Complaint on FOP Lodge # 99. *See* Doc. 5.

5. FOP Lodge # 99's original deadline to answer or otherwise respond to the Amended Complaint is February 23, 2021, which is 21 days from service thereof. The time to answer or otherwise respond has not yet passed. Therefore, this motion is timely filed.

6. No prior extension of time has been requested by FOP Lodge # 99.

7. The Amended Complaint contains 319 paragraphs of allegations against the Defendants, and 20 Counts against Defendants.

8. FOP Lodge # 99 requires additional counts to evaluate the Amended Complaint and determine how to answer or otherwise respond.

9. Counsel for FOP Lodge # 99 has contacted counsel for Plaintiffs, who has represented that Plaintiffs **do not oppose** the requested extension of time.

10. This Motion is not made for purposes of vexation or delay, nor will it affect the trial date of this matter, as a scheduling order has not been entered.

11. No party will be prejudiced by the requested extension of time.

II. Suggestions and Argument

The Court is empowered to extend the time for Defendant FOP Lodge # 99 to answer or otherwise respond to the Amended Complaint. Rule 6(b) of the Federal Rules of Civil Procedure provides, in relevant part:

- (1) *In General.* When an act may or must be done within a specified time, the court may, for good cause, extend the time:
 - (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.

Fed. R. Civ. P. 6(b). Defendant FOP Lodge # 99 are still evaluating Plaintiffs' Amended Complaint, with its numerous factual allegations and counts against the Defendants, and evaluating how best to respond to the allegations contained therein.

Defendant FOP Lodge # 99 seeks an additional twenty-one (21) days in which to respond. No prior extensions have been requested, and the Motion is not made for purposes of vexation or delay. The extension of time to respond will not affect the trial date or any other deadlines in this Matter. No party will be prejudiced by granting this request.

WHEREFORE, Defendant FOP Lodge # 99 respectfully requests that this Court issue its Order granting FOP Lodge # 99 a twenty-one day extension of time, up to and

including March 16, 2021, in which to file its responsive pleading or otherwise respond to Plaintiffs' Amended Complaint, and for all other relief the Court deems just and proper.

Respectfully submitted,

McCAULEY & ROACH, LLC

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**Attorneys for Defendant Kansas
City, Missouri Fraternal Order of
Police Lodge # 99**

Certificate of Service

I hereby certify that on February 22, 2021, the foregoing was electronically filed in the Court's CM/ECF system which provide notice of the same to all counsel of record.

/s/ Nicholas S. Ruble